

RESOLUTION

TO REQUEST ADDITIONAL FUNDS FOR CONTRACT NO. SC-COR-1700022 TO PAY FOR THE SERVICES OF CHONG, NISHIMOTO, SIA, NAKAMURA, & GOYA, LLP AS SPECIAL COUNSEL FOR THE CITY AND COUNTY OF HONOLULU FOR REPRESENTING DEFENDANTS HONOLULU ETHICS COMMISSION AND THE CITY AND COUNTY OF HONOLULU IN A LEGAL ACTION ENTITLED KEALOHA, ET AL. V. TOTTO, ET AL., CIVIL NO. 16-1-1166-6 GWBC (Cir. Ct.).

WHEREAS, by way of Resolution No.16-221, the Council of the City and County of Honolulu ("Council") approved the retention of the law firm of Chong, Nishimoto, Sia, Nakamura & Goya, LLP ("Special Counsel"), to represent and defend the interests of the Honolulu Ethics Commission and the City and County of Honolulu, named as Defendants in the civil action entitled Kealoha, et al. v. Tutto, et al., Civil No.16-1-1166-6 GWBC (Cir. Ct.); and

WHEREAS, by way of Resolution No. 16-221, Council authorized an allotment to Special Counsel in the maximum of \$100,000.00 for legal fees and costs in the defense of the above-referenced Defendants in the above-referenced lawsuit; and

WHEREAS, by way of Resolution No. 17-100, Council authorized an allotment to Special Counsel for an additional \$100,000.00 for legal fees and costs in the defense of the above-referenced Defendants in the above-referenced lawsuit; and

WHEREAS, by way of Resolution No. 17-267, Council authorized an allotment to Special Counsel for an additional \$100,000.00 for legal fees and costs in the defense of the above-referenced Defendants in the above-referenced lawsuit; and

WHEREAS, Special Counsel has billed the City a total \$355,682.01, and the Kealoha Lawsuit is now resolved; and

WHEREAS, Special Counsel has requested the approval of additional funds to cover additional legal fees and costs in defense of Defendants Honolulu Ethics Commission and the City in the lawsuit; and

WHEREAS, based on the above, it appears that the payment of the fees is warranted and Corporation Counsel has recommended the allotment of additional sums; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu, pursuant to the mandate of Sections 5-203 and 5-204.3 of the Revised Charter of the City and County of Honolulu 1973 (2017 edition), that an additional \$55,682.01 be allotted for payment of the law firm of Chong, Nishimoto, Sia, Nakamura & Goya, LLP, in



RESOLUTION

accordance with all the terms and conditions set forth in Resolution No. 16-221, bringing the total amount authorized by Council resolution to \$355,682.01; and

BE IT FINALLY RESOLVED by the Council that the Clerk be and is hereby directed to transmit copies of this Resolution to the Department of the Corporation Counsel and the law offices of Chong, Nishimoto, Sia, Nakamura & Goya, LLP, 1003 Bishop Street, Honolulu, Hawaii 96813.

INTRODUCED BY:

Ron Menor (br)

DATE OF INTRODUCTION:

JUL 31 2019

Honolulu, Hawaii

Councilmembers

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
C E R T I F I C A T E

RESOLUTION 19-173

Introduced: 07/31/19 By: RON MENOR – BY REQUEST Committee: EXECUTIVE MATTERS
AND LEGAL AFFAIRS

Title: RESOLUTION TO REQUEST ADDITIONAL FUNDS FOR CONTRACT NO. SC-COR-1700022 TO PAY FOR THE SERVICES
OF CHONG, NISHIMOTO, SIA, NAKAMURA, & GOYA, LLP AS SPECIAL COUNSEL FOR THE CITY AND COUNTY OF
HONOLULU FOR REPRESENTING DEFENDANTS HONOLULU ETHICS COMMISSION AND THE CITY AND COUNTY OF
HONOLULU IN A LEGAL ACTION ENTITLED KEALOHA, ET AL. V. TOTTO, ET AL., CIVIL NO. 16-1-1166-6 GWBC (Cir. Ct.).

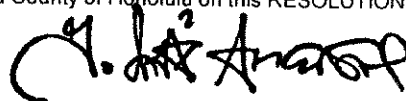
Voting Legend: * = Aye w/Reservations

07/23/19	EXECUTIVE MATTERS AND LEGAL AFFAIRS (EXECUTIVE SESSION)	CR-216 – RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE, TSUNEYOSHI, WATERS.
08/07/19	COUNCIL	CR-216 AND RESOLUTION 19-173 WERE ADOPTED. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE, TSUNEYOSHI, WATERS.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.



GLEN I. TAKAHASHI, CITY CLERK



IKAIKA ANDERSON, CHAIR AND PRESIDING OFFICER